

1 AN ACT concerning elections.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Election Code is amended by changing  
5 Sections 7-43, 10-3, and 10-6 as follows:

6 (10 ILCS 5/7-43) (from Ch. 46, par. 7-43)

7 Sec. 7-43. Every person having resided in this State 6  
8 months and in the precinct 30 days next preceding any primary  
9 therein who shall be a citizen of the United States of the age  
10 of 18 or more years, shall be entitled to vote at such primary.

11 The following regulations shall be applicable to  
12 primaries:

13 No person shall be entitled to vote at a primary:

14 (a) Unless he declares his party affiliations as required  
15 by this Article.

16 (b) (Blank.) ~~Who shall have signed the petition for~~  
17 ~~nomination of a candidate of any party with which he does not~~  
18 ~~affiliate, when such candidate is to be voted for at the~~  
19 ~~primary.~~

20 (c) (Blank.) ~~Who shall have signed the nominating papers of~~  
21 ~~an independent candidate for any office for which office~~  
22 ~~candidates for nomination are to be voted for at such primary.~~

23 (c.5) If that person has participated in the town political

1 party caucus, under Section 45-50 of the Township Code, of  
2 another political party by signing an affidavit of voters  
3 attending the caucus within 45 days before the first day of the  
4 calendar month in which the primary is held.

5 (d) (Blank.) ~~If he has voted at a primary held under this~~  
6 ~~Article 7 of another political party within a period of 23~~  
7 ~~calendar months next preceding the calendar month in which such~~  
8 ~~primary is held: Provided, participation by a primary elector~~  
9 ~~in a primary of a political party which, under the provisions~~  
10 ~~of Section 7 2 of this Article, is a political party within a~~  
11 ~~city, village or incorporated town or town only and entitled~~  
12 ~~hereunder to make nominations of candidates for city, village~~  
13 ~~or incorporated town or town offices only, and for no other~~  
14 ~~office or offices, shall not disqualify such primary elector~~  
15 ~~from participating in other primaries of his party: And,~~  
16 ~~provided, that no qualified voter shall be precluded from~~  
17 ~~participating in the primary of any purely city, village or~~  
18 ~~incorporated town or town political party under the provisions~~  
19 ~~of Section 7 2 of this Article by reason of such voter having~~  
20 ~~voted at the primary of another political party within a period~~  
21 ~~of 23 calendar months next preceding the calendar month in~~  
22 ~~which he seeks to participate is held.~~

23 (e) In cities, villages and incorporated towns having a  
24 board of election commissioners only voters registered as  
25 provided by Article 6 of this Act shall be entitled to vote at  
26 such primary.

1 (f) No person shall be entitled to vote at a primary unless  
2 he is registered under the provisions of Articles 4, 5 or 6 of  
3 this Act, when his registration is required by any of said  
4 Articles to entitle him to vote at the election with reference  
5 to which the primary is held.

6 (Source: P.A. 89-331, eff. 8-17-95.)

7 (10 ILCS 5/10-3) (from Ch. 46, par. 10-3)

8 Sec. 10-3. Nomination of independent candidates (not  
9 candidates of any political party), for any office to be filled  
10 by the voters of the State at large may also be made by  
11 nomination papers signed in the aggregate for each candidate by  
12 1% of the number of voters who voted in the next preceding  
13 Statewide general election or 25,000 qualified voters of the  
14 State, whichever is less. Nominations of independent  
15 candidates for public office within any district or political  
16 subdivision less than the State, may be made by nomination  
17 papers signed in the aggregate for each candidate by qualified  
18 voters of such district, or political subdivision, equaling not  
19 less than 5%, nor more than 8% (or 50 more than the minimum,  
20 whichever is greater) of the number of persons, who voted at  
21 the next preceding regular election in such district or  
22 political subdivision in which such district or political  
23 subdivision voted as a unit for the election of officers to  
24 serve its respective territorial area, ~~except that independent~~  
25 ~~candidates for the General Assembly shall require not less than~~

1 ~~10%, nor more than 16% of the number of persons who voted at~~  
2 ~~the next preceding general election in such district or~~  
3 ~~political subdivision in which such district or political~~  
4 ~~subdivision voted as a unit for the election of officers to~~  
5 ~~serve its respective territorial area.~~ However, whenever the  
6 minimum signature requirement for an independent candidate  
7 petition for a district or political subdivision office shall  
8 exceed the minimum number of signatures for an independent  
9 candidate petition for an office to be filled by the voters of  
10 the State at large at the next preceding State-wide general  
11 election, such State-wide petition signature requirement shall  
12 be the minimum for an independent candidate petition for such  
13 district or political subdivision office. For the first  
14 election following a redistricting of congressional districts,  
15 nomination papers for an independent candidate for congressman  
16 shall be signed by at least 5,000 qualified voters of the  
17 congressional district. For the first election following a  
18 redistricting of legislative districts, nomination papers for  
19 an independent candidate for State Senator in the General  
20 Assembly shall be signed by at least 3,000 qualified voters of  
21 the legislative district. For the first election following a  
22 redistricting of representative districts, nomination papers  
23 for an independent candidate for State Representative in the  
24 General Assembly shall be signed by at least 1,500 qualified  
25 voters of the representative district. For the first election  
26 following redistricting of county board districts, or of

1 municipal wards or districts, or for the first election  
2 following the initial establishment of such districts or wards  
3 in a county or municipality, nomination papers for an  
4 independent candidate for county board member, or for alderman  
5 or trustee of such municipality, shall be signed by qualified  
6 voters of the district or ward equal to not less than 5% nor  
7 more than 8% (or 50 more than the minimum, whichever is  
8 greater) of the total number of votes cast at the preceding  
9 general or general municipal election, as the case may be, for  
10 the county or municipal office voted on throughout such county  
11 or municipality for which the greatest total number of votes  
12 were cast for all candidates, divided by the number of  
13 districts or wards, but in any event not less than 25 qualified  
14 voters of the district or ward. Each voter signing a nomination  
15 paper shall add to his signature his place of residence, and  
16 each voter may subscribe to one nomination for such office to  
17 be filled, and no more: Provided that the name of any candidate  
18 whose name may appear in any other place upon the ballot shall  
19 not be so added by petition for the same office.

20 The person circulating the petition, or the candidate on  
21 whose behalf the petition is circulated, may strike any  
22 signature from the petition, provided that;

23 (1) the person striking the signature shall initial the  
24 petition at the place where the signature is struck; and

25 (2) the person striking the signature shall sign a  
26 certification listing the page number and line number of

1 each signature struck from the petition. Such  
2 certification shall be filed as a part of the petition.

3 (3) the persons striking signatures from the petition  
4 shall each sign an additional certificate specifying the  
5 number of certification pages listing stricken signatures  
6 which are attached to the petition and the page numbers  
7 indicated on such certifications. The certificate shall be  
8 filed as a part of the petition, shall be numbered, and  
9 shall be attached immediately following the last page of  
10 voters' signatures and before the certifications of  
11 stricken signatures.

12 (4) all of the foregoing requirements shall be  
13 necessary to effect a valid striking of any signature. The  
14 provisions of this Section authorizing the striking of  
15 signatures shall not impose any criminal liability on any  
16 person so authorized for signatures which may be  
17 fraudulent.

18 In the case of the offices of Governor and Lieutenant  
19 Governor a joint petition including one candidate for each of  
20 those offices must be filed.

21 ~~Every petition for nomination of an independent candidate~~  
22 ~~for any office for which candidates of established political~~  
23 ~~parties are nominated at the general primary shall be filed~~  
24 ~~within the time designated in Section 7-12 of this Act in~~  
25 ~~regard to nomination at the general primary of any other~~  
26 ~~candidate for such office.~~

1 A candidate for whom a nomination paper has been filed as a  
2 partisan candidate at a primary election, and who is defeated  
3 for his or her nomination at the primary election, is  
4 ineligible to be placed on the ballot as an independent  
5 candidate for election in that general or consolidated  
6 election.

7 A candidate seeking election to an office for which  
8 candidates of political parties are nominated by caucus who is  
9 a participant in the caucus and who is defeated for his or her  
10 nomination at such caucus, is ineligible to be listed on the  
11 ballot at that general or consolidated election as an  
12 independent candidate.

13 (Source: P.A. 86-867; 86-875; 86-1028; 86-1348.)

14 (10 ILCS 5/10-6) (from Ch. 46, par. 10-6)

15 Sec. 10-6. Time and manner of filing. Certificates ~~Except~~  
16 ~~as provided in Section 10-3, certificates~~ of nomination and  
17 nomination papers for the nomination of candidates for offices  
18 to be filled by electors of the entire State, or any district  
19 not entirely within a county, or for congressional, state  
20 legislative or judicial offices, shall be presented to the  
21 principal office of the State Board of Elections not more than  
22 141 nor less than 134 days previous to the day of election for  
23 which the candidates are nominated. The State Board of  
24 Elections shall endorse the certificates of nomination or  
25 nomination papers, as the case may be, and the date and hour of

1 presentment to it. Except as otherwise provided in this  
2 section, all other certificates for the nomination of  
3 candidates shall be filed with the county clerk of the  
4 respective counties not more than 141 but at least 134 days  
5 previous to the day of such election. Certificates of  
6 nomination and nomination papers for the nomination of  
7 candidates for the offices of political subdivisions to be  
8 filled at regular elections other than the general election  
9 shall be filed with the local election official of such  
10 subdivision:

11 (1) (Blank);

12 (2) not more than 78 nor less than 71 days prior to the  
13 consolidated election; or

14 (3) not more than 78 nor less than 71 days prior to the  
15 general primary in the case of municipal offices to be  
16 filled at the general primary election; or

17 (4) not more than 78 nor less than 71 days before the  
18 consolidated primary in the case of municipal offices to be  
19 elected on a nonpartisan basis pursuant to law (including  
20 without limitation, those municipal offices subject to  
21 Articles 4 and 5 of the Municipal Code); or

22 (5) not more than 78 nor less than 71 days before the  
23 municipal primary in even numbered years for such  
24 nonpartisan municipal offices where annual elections are  
25 provided; or

26 (6) in the case of petitions for the office of

1 multi-township assessor, such petitions shall be filed  
2 with the election authority not more than 78 nor less than  
3 71 days before the consolidated election.

4 However, where a political subdivision's boundaries are  
5 co-extensive with or are entirely within the jurisdiction of a  
6 municipal board of election commissioners, the certificates of  
7 nomination and nomination papers for candidates for such  
8 political subdivision offices shall be filed in the office of  
9 such Board.

10 (Source: P.A. 90-358, eff. 1-1-98; 91-317, eff. 7-29-99.)